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PLAINTIFFS

DEFENDANTS

Marvin C. Catron

McDonald's System, Inc.
Bama Pie, Inc.
Doleo Packaging Corp. &
Paul W. Marshall

CAUSE

Patent Code Title 35
Patent Infringement

ATTORNEYS

~~Paul H. Johnson~~ *withdrawn*
~~James R. Head~~ *10-8-76*
Attorney at Law
212 Beacon Building
Tulsa, Oklahoma 74103
(918) 584-4187
John R. Woodard *Joe Farris*
816 Enterprise Bldg.
Tulsa, Okla. 74103
583-7129

William S. Dorman (Bama Pie) & Dolco
1401 Natl. Bank of Tulsa Bldg.
Tulsa 74103 582-8201
E. John Eagleton (Marshall) & McDonald's
1000 Sooner Federal Bldg.
Tulsa 74103 583-2131

~~Robert R. Keegan, Esq.~~ *10-6-78*
~~34 East Center Street~~
~~Fayetteville, Ark. 72701~~
~~501-521-4412~~
8-740-5011

☐ CHECK
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IF CASE WAS
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FILING FEES PAID		
DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS	
CARD	DATE MAILED
JS-5	5-5-76
JS-6	5-1-79

DATE	NR.	PROCEEDINGS
5-5-76	1.	Complaint filed. Summons Issued.t
5-17-76		Summons, ret. & filed: served Paul W. Marshall and Bama Pie, Inc., Tulsa, Ok. on 5-7-76; McDonald's System, Inc. by serving the Corporation Co. Ok. City on 5-11-76; Dolco Packaging Corp. by serving The Secy. of State, Ok. City on 5-11-76. (USM \$16.64)g
5-20-76	2.	Verified motion of defts. Bama Pie & Marshall to disqualify atty. for pltf., filed. hm
5-20	3.	Brief in support of verified mo/disqualify atty, filed. hm
5-20	4.	Affidavit of William S. Dorman re disqualification of atty., filed. hm
5-20	MO:	Pltf. directed to file response to mo/disqualify by 5-25-76; case set for hearing on said motion 5-26-76 at 12:00 noon. (HDC-J)hm (notices delivered by deft. counsel)
5-25	5.	Responsive brief of pltf. to def. mo/disqualify atty, filed, with Affidvits of James R. Head and Paul Johnson, and exhibits attached.rm
5-26	MO:	Case called for hearing on defts' mo/disqualify atty. for pltf. Parties represented. Statements made. Deft. Bama Pie's & Marshall's witnesses sworn and testify: James R. Head and Paul W. Marshall. Defts' exhibits 1&2 admitted & Mr. Eagleton allowed to withdraw ex. #2 for copying & return. Pltf. to file brief on materiality of defts' ex. #2 within 5 days; deft. Marshall given 3 days to respond. Defts. to file brief within 10 days; pltf. to ans. 10 days thereafter; defts. to reply 5 days thereafter. Court takes ruling under advisement and will rule after briefs in. (HDC-J)hm
5-26	6.	Motion to dismiss on behalf of deft. Dolco Packaging Corp., filed. hm
5-26	7.	Brief in support of mo/dismiss on behalf of Dolco Pack. Corp., filed.hm
5-26	8.	Applic. for ext. of time to ans. of defts. McDonald's, Bama Pie & Marshall, filed in open court. hm
5-26	9.	Order, filed, granting defts. McDonald's, Bama Pie & Marshall until 6-25-76 to ans. or plead. (HDC-J)hm (copies delivered)
5-26	MO:	Pltf. directed to file resp. brief within 10 days to mo/dismiss of deft. Dolco Pack. Corp. (HDC-J)hm
6-2	10.	Appl. of pltf. for ext. of time to reply to def. mo/dismiss on behalf of Dolco Pkg., filed. rm
6-2	11.	Order, filed, granting pltf. 10 days from date of the decision on Verified mo/disqualify atty for pltf. to resp. to deft's mo/dismiss on behalf of Dolco Packaging Corp. (HDC-J)ph cps mld
6-4	--	Transcript of proceedings had on 5-26-76, hearing, filed. ph
6-7	12.	Deft's appl. for ext. of time for filing brief on disqualification motion, filed. ph
6-8	13.	Order, filed, that deft's time for filing brief on disqualification motion is extended to 6-11-76; pltf. to file its' ans. brief by 6-21-76; defts. to file a reply brief, if any, by 6-26-76. (HDC-J)ph cps mld
6-11	14.	Def. brief on disqualification motion, filed. rm
6-17	15.	Appl. for ext. of time to file pltf's ans. brief on disqualification motion, filed. ph <i>otg</i>
6-18	18.	Order, filed, that pltf. is granted ext. of time to 6/28/76 to file answer brief re disqualification motion; and def. is granted ext. of time to 7/5/76 to file reply brief. (HDC-J)rm-copies mailed
6-23	19.	Defts', McDonald's, Bama Pie and Paul W. Marshall, ans. and counterclaim, filed. ph
6-25	20.	Pltf's brief in resp. to mo/disqualify pltf's atty, filed. ph
6-25	21.	Affidavit of John R. Woodard III, filed. ph

(cont.)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-201-C</u>
Marvin C. Catron		McDonald's System, Inc., et al	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
7-1-76	22.	Defts', McDonald's System, Bama Pie and Paul Marshall, reply brief on disqualification motion, filed. ph	
7-6	23.	Demand for jury trial by pltf., filed. rm	
7-7	24.	Pltf's surrebuttal on disqualification motion, filed. ph	
7-13	25.	Pltf's ans. to defts' Counterclaim No., 1, filed. ph	
7-13	26.	Pltf's motion to dismiss defts' counterclaim II (FRCP 12(b)(1) and (6) filed. ph	
7-13	27.	Brief in support of pltf's mo/dismiss under FRCP 12(b)(1) and (6), filed. ph	
7-13	MO:	It is ordered by the Ct. that the defts. file a resp. brief within 10 days to the Motion to Dismiss Defts' Counterclaim II. (HDC-J)ph cps mld	
7-16	28.	Defts' brief in resp. to pltf's mo/dismiss defts' counterclaim II, filed. ph	
9-30	29.	Order, filed, that the motion of pltf. to dismiss counterclaim No. II is overruled. (HDC-J)ph cps mld	
9-30	30.	Order, filed, sustaining motion to disqualify attorney for pltf. (HDC-J)ph cps mld	
10-8	31.	Appl. of pltf. for order accepting withdrawal of pltf's atty and for addit. time to ans. or otherwise plead or resp. to deft's motion to dismiss on behalf of Dolco Packaging and ans. deft's counterclaim number II, filed. ph 069	
10-8	32.	Order, filed, granting withdrawal of counsel for pltf. James R. Head, granting pltf. 30 days to retain new counsel and to respond to motion to dismiss of def. Dolco; and to ans. or plea or respond to defts. counterclaim II. (HDC-J)rm-copies mailed	
11-4	33.	Pltf's ans. to defts' counterclaim No. II, filed. ph	
11-4	34.	Pltf's brief in resp. to brief in support of mo/dismiss on behalf of Dolco Packaging Corp., filed. ph	
11-11	35.	Reply brief of Dolco in support of mo/dismiss, filed. hm	
1-18-77	36.	First Interrogs. to Pltf., fld. by Defts. McDonald's System, Inc., Bama Pie, Inc., and Paul W. Marshall. v	
1-24	37.	Deposition of John W. Marshall taken on 12-17-76, filed. (F.L. Peterson-CSR)ph (\$148.50 pd by pltf.)	
1-24	--	Continuation of the depos. of Larry Catron taken on 12-17-76, filed. ph (F.L. Peterson-CSR) \$126.00 pd by defts.	
1-24	37.	Pltf's mo/order compelling prod. of documents & tangible things, filed. hm	
1-24	MO:	Defts. ordered to file response within 3 days, or by 1-27, to above motion; further ordered that case is set for hearing on said motion, along with mo/dismiss on behalf of deft. Dolco on 1-28-77 at 10:00 a.m. (HDC-J)hm (notices mailed)	
1-26	38.	Defts' McDonald's System, Bama Pie and Paul W. Marshall, brief in oppos. to mo/production of documents, filed. ph	
1-28	MO:	Case called for hearing on pending motions. Parties represented. Statements made. Pltf. given 10 days to complete discovery on mo/dismiss and to take requested deposition; deft. given 5 days thereafter to respond. Mo/dismiss then to be submitted to the Court.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-201</u>
			PAGE <u>4</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
		Pltf's mo/for order compelling prod. of documents & tangible things sustained as to patent applic. & deft. to provide said applic. & all info. pertaining thereto, w/exception of serial # & dates, to pltf. Upon request of deft., deft. given a protective order directing pltf. not to show patent applic. or any info. obtained in regard to said applic. to any third parties. Deft. given 15 days to make decision on whether to dismiss part 2 of counterclaim. If part 2 of counterclaim pursued, the mo/prod pertaining to invoices & amts. will be sustained; if part 2 of counterclaim is to be dismissed, mo/prod. will be overruled as to those documents. Remaining part of mo/produce agreed to by deft. (HDC-J)hm	
2-10-77	--	Reporter's transcript of proceedings had on 1-28-77, hearing on Motions, filed. ph	
2-22	39.	Pltf's ans. to defts' first interrogs., filed. ph	
2-23	40.	Motion of defts. McDonald's System, Bama Pie and Paul W. Marshall to Dismiss defts' Counterclaim No. II, filed. ph	
2-23	41.	Brief in support of defts' motion to dismiss counterclaim no. II, filed. ph	
2-23	42.	Motion of defts. McDonald's System, Bama Pie and Paul W. Marshall for Contempt Order, filed. ph	
2-23	43.	Brief in support of Motion for Contempt Order, filed. ph	
2-23	MO:	It is ordered by the Court that the pltf. file a resp. brief within 10 days to the defts' McDonald's System, Bama Pie and Paul W. Marshall's Motion to Dismiss Defendants' Counterclaim No. II and Motion for Contempt Order. (HDC-J)ph cps mld	
3-3	44.	Pltf. brief on defs. mo/dismiss counterclaim No. II, filed. rm	
3-3	45.	Brief in opposition to motion for contempt order, filed by pltf.rm	
3-10	46.	Pltf's supplemental brief in resp. to mo/dismiss, filed. ph	
3-16	47.	Defendant's reply brief on the venue issue, filed. rm	
3-21	48.	Defts' second interrogs. to pltf., filed. ph	
3-21	49.	Defts. McDonald's System, Bama Pie and Paul W. Marshall's request for admission under Rule 36, filed. ph	
3-22	50.	Addl. brief of pltf. in response to defs. mo/contempt, filed.rm	
3-28		Deposition of Harold Singleton, taken on behalf of pltf. on 2-4-77. (Fees: \$177.00 pd by pltf.)hm	
3-29	51.	Pltf's addit. brief and resp. to mo/dismiss Dolco Packaging Corp., filed. ph	
4-1	52.	Pltf's interrogs. to defts. Under Rule 33, First Set, filed. ph	
4-12		Deposition of Darrell F. Beaver on behalf of pltf., filed.g	
4-12		Deposition of Paul W. Marshall on behalf of pltf., filed. g	
4-12		Deposition of Patsy Lou George on behalf of pltf., filed. g	
4-12		Deposition of Lilah Belle Marshall on behalf of pltf., filed. g	
4-12		Deposition of Larry Catron on behalf of defts., filed. g	
4-12		Deposition of Floyd L. Lankford on behalf of defts., filed. g	
4-12		Deposition of Helen Catron on behalf of defts., filed. g	
4-12		Deposition of Marvin C. Catron on behalf of defts., filed. g	
4-15	53.	Pltf's answers to second interrogs. of defts., filed.k	
4-15	54.	Pltf's response to defts' request for admission, filed.k	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-201
Marvin C. Catron		McDonald's System, Inc., et al	PAGE 5 OF 3 PAGES
DATE	NR.	PROCEEDINGS	
4-25-77		Dep. of Edwin D. Rickerson taken before Roberta Bachmann (CSR) taken at Chicago, Ill. on 2-10-77., filed. lm	
5-5-77	55	Answers of Bama Pie, Inc. to pltf's interrogs first set, filed. g	
5-5	56	Answers of Paul W. Marshall to pltf's interrogs first set, filed. g	
5-6	57	Obj. of McDonald's System Inc. to pltf's interrogs., w/brief, filed. g	
5-6	58	Obj. of Dolco Packaging Corp to pltf's interrogs., w/brief, filed. g	
5-6	59	Obj. of Paul W. Marshall to pltf's interrogs., w/brief, filed. g	
5-6	60	Obj. of Bama Pie, Inc. to pltf's interrogs., w/brief, filed. g	
5-12	61.	Ans. of McDonald's system, to certain of pltf's interrogs. to defts. under rule 33 first set, filed. ph	
5-31	62.	Motion of defts. McDonald's Systems, Bama Pie and Paul Marshall for order compelling discovery, filed. ph	
5-31	63.	Brief in support of motion for order compelling discovery, filed. ph	
5-31	MO:	It is ordered by the Court that pltf. file a resp. brief within 10 days to the Motion of defts. McDonald's Systems, Bama Pie, Inc. and Paul W. Marshall for order compelling discovery. (HDC-J)ph ltr mld	
6-1	64	Order, filed, that mo/dismiss filed by defts. McDonald's System, Bama Pie & Paul Marshall is hereby sustained and that defts' counter-claim II be dismissed w/o prejudice; further ordered that pursuant to the Ct's ruling on 1-28-77, pltf's outstanding mo/compel is overruled; further ordered that motion of defts. McDonald's System, Bama Pie & Paul Marshall for a contempt order will be held in abeyance until the pre-trial conference; further ordered that mo/dismiss of deft. Dolco Packaging Corp. is sustained. ^{and, files and enters} (HDC-J)ph cps mld	
6-9	65.	Deft's brief in opposition to motion for order compelling discovery, filed. lm	
6-20	MO:	Case set for PT hearing on 9-7-77 at 10:30 a.m. (HDC-J)hm	
6-24	66.	Defts' third interrogs. to pltf., filed. ph	
6-28	67.	Notice of appeal by pltf. from order of 6/1/77 dismissing deft. Dolco, filedrm (copies to USCA) (\$250 cash deposited)	
6-28	68.	Request of pltf. for stay of dismissal order & stay of case pending appeal, filed. rm	
6-29	MO:	Ordered by the ct. that defts. are granted 10 days in which to respond to pltf. req. for stay order. (HDC-J)rm-letter	
6-29	69.	Notice of payment of appeal cost bond in amt. of \$250 cash, filed. rm	
7-11	70.	Defts' brief in oppos. to request for stay of dismissal, filed. ph	
7-26	71.	Req. of pltf. for ext. of time for transmitting appeal, filed. rm	
7-27	MO:	Ordered by the Ct. that upon req. of pltf., w/no objs. by defts., pltf. request for ext. of time for transmittal of original appeal record is granted and pltf. is granted to 9/7/77 to effect transmittal of appeal record. (HDC-J)rm-letter	
7-27	72.	Ans. to defts' third interrogs. to pltf., filed. ph	
7-29	MO:	Parties directed to comply with local rule 14(d) & make a good faith effort to resolve their differences on discovery & any remaining differences will be resolved at PT con. on 9-7-77. (HDC-J)hm (letter written parties)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-201-C
MARVIN C. CATRON		MCDONALD'S SYSTEMS,	PAGE <u>6</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
1977 8-1	73.	Copy of motion from 10th Circuit, granting appellant to 8/27/77 to file docketing statement, filed.rm	
8-4	--	Deposition of Lynal Root, taken on 4-27-77, filed. (P. Walker)ph	
8-25		Letter, filed, assigning Circuit NO. 77-1633. ra	
9-1	74.	Designation of record on appeal by pltf., w/no obj. by defts., filed.rm	
9-1	75.	Appl. of pltf. for continuance of pre-trial hearing, filed. ph (O to J)	
9-6	76.	Order, filed, that pre-trial conf. set for 9-7-77 is stricken; parties to continue discovery against deft. Dolco; further that discovery cut-off date be extended until 10-31-77. (HDC-J)ph cps mld parties called	
9-6	---	Original record on appeal (6 vols.) (re Dolco dismissal) transmitted to 10th Circuit. rm	
9-8	77.	Notice to take depos. of Jerome F. Olson and Raymond G. Jones on 9-16-77 at Tulsa, OK, filed. ph	
9-9	78.	Pltf's appl. for Rule 54(b) certification, filed. ph (O to J)	
9-9	79.	Rule 54(b) certification, filed and entered, that the order dated May 31, 1977, dismissing Dolco Packaging Corp. is a final order and that the entry of judgment dismissing Dolco is expressly directed. (HDC-J)ph cps mld	
9-26	80	Pltf. request to enter and inspect premises and for production and inspection of documents and objects under Rule 34. fld. ho	
9-26	---	Suppl. Vol. I transmitted to USCA (Rule 54(b) cert. rm	
10-19	Depo.	Depo. of Jerome F. Olson taken on 9-16-77 before Evelyn Rutherford, CSR, w/costs of \$51.00, fld. v -fees pd. by Deft. Marshall.	
10-25	81.	Defts' obj. to pltf's req. to enter premises and for prod. and inspection of documents and objects under Rule 34, and defts' mo/protective order, filed. ph (brief to be in on 10-26)	
10-26	82.	Brief in support of defts' objections to pltf's req to enter premises and for prod. and inspection of documents and objects under Rule 34, and defts' mo/protective order, filed. ph	
10-27	MO:	Ordered by the court that the pltf. file a resp. brief within 10 days to the defts' obj. to pltf's req to enter premises and for prod. and inspection of documents and objects under Rule 34, and defts' mo/protective order. (HDC-J)ph ltr mld	
10-28	83.	Pltf's request for ext of discovery cutoff date, filed. ph (O to J)	
10-28	84.	Order, filed, that discovery cutoff date as to deft. Dolco is extended to 11-30-77. (HDC-J)hm (copies to pltf.)(Keegan)	
11-7	85.	Pltf's brief and ans. to defts' objections to pltf's req. to enter premises and for prod. and inspection of documents and objects under Rule 34, filed. ph	
11-16	86.	Notice of taking depos. of Frank Freely on 11-22-77 at Burbank, CA and Dave Hillgenberg., filed. ph	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-201-C</u>
MARVIN C. CATRON		McDONALD'S	PAGE <u>7</u> OF <u>4</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1977</u> 11-30	87	Motion of pltf. for ext. of time of discovery cut-off date, filed. rm	
12-5	88.	Order, filed, that parties should cont. disc. against deft. Dolco & that disc. cutoff date is extended until 1-1-78. (HDC-J)hm (cps to pltf.)	
12-5	89.	Objections of defts. Bama Pie & Marshall to pltf's mo/ext. of time of discovery cutoff date, filed. hm	
12-29	90.	Pltf's motion for ext. of time of discovery cut-off date, filed. ph (O to J)	
12-30	91.	Order, filed, that notwithstanding the abatement of pretrial proceedings herein, the parties should continue discovery against deft. Dolco as if they were a third party witness, in accordance w/ the FRCP and that discovery cutoff date is extended until 2-1-78. (HDC-J)k cps mld to movant	
<u>1978</u> 1-5	MO:	Case referred to Mag. Robert S. Rizley for recommendation on motion of defts. McDonald's Systems, Bama Pie and Paul Marshall for order compelling discovery filed 5-31-77; and defts' obj. to pltf's req. to enter premises and for prod. and inspection of documents and defts' motion for protective order filed 10-25-77. (HDC-J)ph	
1-9	MO:	Case set for hrg. on defts' mo/order comp. discovery & deft's obj. to pltf's req. to enter premises & for prod. & insp. of documents & defts' mo/protective order 1-19-78 at 4:00 p.m. (RSR-Mag)hm	
1-17	MO:	Ordered that hrg. set before Mag. Rizley on 1-19-78 has been reset for 1-27-78 at 2:30 p.m. (RSR-Mag)hm(notices mailed)	
1-20	--	Deposition of David E. Hillgenberg taken on 11-22-77, filed. (D. Case Notary Public)ph	
1-20	--	Deposition of Frank E. Freely taken on 11-22-77 at Burbank, CA, file (D. Case-CSR)ph	
1-27	MO:	Hrg. before Mag. Rizley set this date is passed to 2-6 at 4:00 p.m. (RSR-Mag.)hm	
1-30	MO:	Case set for hrg upon deft. McDonald's Systems, Bama Pie and Paul Marshal for order compelling discovery; defts' obj. to pltf's req. to enter premises and for prod. and insp. of documents and deft's mo/protective order for 2-6-78 at 4:00 p.m. (R.S.R.-Mag)ph	
1-31	92.	Pltf's motion for ext of time of discovery cut-off date, filed. ph	
1-31	93.	Order, filed, that discovery cut-off date is extended until 3-1-78. (HDC-J)ph cps to movant.	
2-6	94.	Hearing held on motions before Mag. Robert S. Rizley. Mag. recommends that deft. McDonald's Systems, Bama Pie and Paul Marshal motion for order compelling discovery be taken under advisement; defts' obj. to pltf's req. to enter premises and for prod. and insp. of documents be sustained in part and overruled in part.; deft's mo/protective order be sustained in part and overruled in part. Mag. to prepare Findings and Recommendations. (R.S.R-Mag.)ph	
2-13	95.	F&R of Mag., filed.(RSR-Mag)rm-copies mailed	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-C-201-C</u>
MARVIN C. CATRON	MCDONALD'S SYSTEMS, INC., et al	PAGE <u>8</u> OF <u>4</u> PAGES

DATE	NR.	PROCEEDINGS
<u>1978</u> 2-14	96.	Order, filed, that defts' obj. to pltf's req. to enter premises and for prod. and insp. of documents is sustained; pltf's req. to inspect the premises of deft. Bama Pie is overruled w/o prejudice; the deft's req. for protective order is presently moot but may be renewed in the event that pltf. renews the req. for insp. of premises. (HDC-J)ph cps mld
3-1	97.	Pltf's motion for ext of time of discovery cut-off date, filed. ph (0 to J
3-2	98.	Order, filed, that discovery cut-off date is extended until 4-1-78. (HDC-J)ph cps to movant
3-6	99.	Defts. Bama Pie and Paul W. Marshall's request for admissions, filed. ph
3-6	100.	Obj. of defts. Bama Pie, Inc. and Paul W. Marshall to pltf's motion for ext of time of discovery cut-off date, filed. ph
3-7	101.	Mot. Requesting Setting of an Early Date for Response to Pltf.'s Renewed Request for Inspection and Production, fld. v (o)
3-7	102.	Request to Enter and Inspect Premises and for Production and Inspection of Documents and Objects Under Rule 34, fld. by Pltf. v
3-7	103.	Brief in support of mot. to set early response to request for Inspection and Production, fld. by Pltf. v by 3-17-78,
3-7	104.	Order, filed, that defts. shall resp. in writing/with reasons for obj. to pltf's renewed req. for inspection and prod. (HDC-J)ph cps mld
3-15	MO:	Ordered that Mag. recommends that defts' McDonald's System, Bama Pie & Mitchell's mo/order comp. disc. be overruled; pltf. directed to prepare F&R & proposed order within 5 days. (RSR-Mag)(letter written parties)
3-15	105.	Defts' obj. to pltf's req. to enter and inspect premises and for prod. and inspection of documents and objects under Rule 34, and defts' mo/protective order, filed. ph
3-15	106.	Brief in support of defts' objections, filed. ph
3-16	MO:	Case referred to Mag. Robert S. Rizley for all pending discovery motions and all future discovery matters. (HDC-J)ph
3-23	MO:	Case set for hrg of mo/requesting setting of an early date for resp. to pltf's renewed req. for insp. and prod.; req. to enter and inspect premises and for prod. and insp. of documents and objects under Rule 34; and defts' motion for protective order set for 4-3-78 at 1:30 p.m. before Mag. RSR. (RSR-Mag)ph
3-27	107.	Findings and recommendation of Magistrate, filed. (RSR-Mag)ph cps mld
4-3	108.	Pltf's mo/ext. of time of disc. cut-off date, filed. hm
4-3	109.	Pltf.'s brief supporting request for inspection & production and opposing Defts.' objection & Defts.' mot. for protective order, fld. v
4-3	110.	Order, filed, granting discovery cut-off date until 5-1-78. (HDC-J)hm (cps. to Keegan)

(CONTD)

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-201-C
MARVIN C. CATRON		MCDONALD'S SYSTEMS, INC.	PAGE 9 OF 5 PAGES
DATE	NR.	PROCEEDINGS	
1978 4-3	MO:	Case called for hrg. before Mag. on pltf. mo/req. setting for response to pltf. renewed req. for insp. & prod; req. for entry & inspect premises & for prod. & insp. of documents & objs. under Rule 34 & pltf. mo/ext. of time of discovery cut off date and deft. mo/prot. order. Statements made. pltf. mo/req. setting is moot; pltf. req. to enter & inspect premises denied; pltf. mo/prod. & insp. documents sustained as to documents and denied as to jbs.; deft. mo/protective order moot; pltf. mo/ext. of time of discovery cutoff sustained. Discovery cutoff date ext. to 5/1/78. Deft. to prepare F&R within 10 days. (RSR-Mag)rm	
4-4	111	Pltf's response to defts' second request for admissions, filed.k	
4-6	112.	Defts' obj. to Findings and Recomm. of Magistrate, filed. ph	
4-7	MO:	Ordered by the Court that the pltf. file a resp. brief within 10 days to the defts' obj. to Findings and Recomm. of mag. (HDC-J)ph ltr mld	
4-11	113.	Letter from pltf. stating they do not wish to file a resp. brief to defts' obj. to F&R of Mag., filed. ph	
4-17	114.	Findings and recommendation of Magistrate, filed. (RSR-Mag)ph (O in file) cps to parties	
4-26	115.	Pltf's motion for ext of time of discovery cut-off date, filed. ph (O to J)	
5-2	116.	Order, filed, that pltf's mo/requesting setting of an early date for response to pltf's renewed request for inspection and production is moot; pltf's request to enter and inspect premises is denied; pltf's request for prod. of drawings, plans, and prototype models is granted; Pltf's request for Bama Pie to produce employee records is granted and to be done within 10 days; Deft's motion for protective order is moot; Pltf's motion for ext of time of the discovery cut-off date is moot in view of order of this Court granting this motion and extending discovery cut-off date until 5-1-78. (HDC-J)ph cps mld	
5-2	117.	Order, filed, that discovery cut-off date is extended until 6-1-78. (HDC-J)ph cps mld	
5-30	118.	Pltf's motion for ext of time of discovery cut-off date, filed. ph (O to J) (9th appl. for ext.)	
6-1	119.	Order, filed, ext. discovery cut-off date until 7-1-78 & that NO FURTHER EXTENSIONS WILL BE GRANTED. (HDC-J)hm (cps. to pltf.)	
6-1	120.	Objections of defts. Bama Pie, Inc. & Marshall to pltf's mo/for ext. of time of disc. cut-off date, filed. hm	
6-5	121.	Order, filed, that defts' motion for order compelling discovery is overruled. (HDC-J)ph cps mld; cpy to Rizley	
6/19	122.	Mot. of Pltf. for order compelling discovery, fld. v	
6/19	123.	Brief in support, fld. v	
6/20	MO:	Ordered that Deft. is granted 10 days from this date to respond to Pltf.'s mot. for order compelling disc. (HDC-J)v -ltr mld.	
6-22	124.	Notice by deft. of taking deposition of Marvin Catron in Tulsa on 3/29/78, filed. subpoena issued rm	

(contd)

DC-111A REV. (1/75)

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-201-C</u> PAGE <u>10</u> OF <u>5</u> PAGES
Catron		McDonald	
DATE	NR.	PROCEEDINGS	
6-22-78	125.	Appl. of defts. Bama Pie & Marshall for restraining order, filed. rm	
6-22-78	126.	Brief in support of appl./restraining order, filed. rm	
6-23	MO:	Ordered by the Ct. that defts. Bama Pie & Marshall's appl. for restraining order is referred to Magistrate Robert S. Rizley for recommendations. (HDC-J)rm-copy of pleadings & docket sheet to Rizley	
6/23	--	Return on Civil Subpoena, fld. Subpoena mld. to John R. Woodard, III, and to Robert R. Keegan on 6/22/78, fld. by E. John Eagleton. v	
6/23	127.	Defts.' Response to Mot. for Order Compelling Discovery, fld. v	
6/23	128.	Mot. of Defts. to Bring in Additional Deft., fld. v	
6/23	129.	Brief in support, fld. v (o)	
6/23	MO:	Parties directed to file resp. brief within 10 days to defts' mo/bring in addit. deft. v	
6/23	MO:	Mo/bring in addit. deft. referred to Mag. Rizley for recommendation. (HDC-J)hm	
6-26	MO:	<u>CASE SET FOR HRG. BEFORE MAG. RIZLEY ON APPLIC. OF DEFTS. BAMA PIE & MARSHALL FOR RESTRAINING ORDER ON 7-6-78 at 9:30 a.m. (RSR-Mag)hm</u> (ntc. mld.)	
6-28	130.	Defts. mo/ext. of time of discovery cut-off date & brief, filed.rm(0)	
6-30	131	Order granting deft.appl. for ext. of time until 7-31-78, fld. ra cps mld to movant	
7-3	132	Pltf's brief opposing mot. to bring in add'l deft. under Rule 19, fld. ra	
7-3	133	Brief in oppos. to deft's applic for rest. order, fld (O to J)ra	
7-6	MO:	Hrg. held before Mag. on deft. Bama Pie & Marshall's appl/restraining order. Counsel present. Statements made. Appl. withdrawn and parties announced they had agreed on Order which would be submitted for Ct.'s signature. (RSR-Mag)rm	
7-6	134.	Order, filed, re stip. on restraining order. (HDC-J)rm-copies md.	
7-11	MO	Hrg. held before Mag. on pending discovery matters. Defts' Mot/Compel Answers to Depo. Questions sustained in part and over-rld in part; Pltf to submit brief on compelling ans. to certain questions propounded in the depo. in 10 days; defts. to respond in 5 days. Defts' mot. to bring in additional deft. passed pending defts supplementing the record with deposition testimony or other evidence in support of their motion w/in 20 days. Pltf's mot. to compel answers to interr. sustained in part and over-rld in part; defts. to prepare Findings & Recommendations of Mag. and proposed order w/in 10 days. (RSR-MAG)ra	
7-25		Transcript of proceedings on 7-11-78, filed. (P. Walker, CSR) g	
7-28	MO:	Defts. are granted until 9-1-78 to furnish a copy of the record in the state court action between the parties and depos. in support of their applic. to make Hoerner Waldorf Co. a party to this action. (RSR-MAG).Counsel notified.ra	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
MARVIN C. CATRON		McDONALD's SYSTEM INC. et al.	PAGE <u>11</u> OF <u>6</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1978</u> 8-1	135	Findings & recommendations of mag. re disc. motions, fld. (RSR-MAG)ra cps mld.	
8-4	136	Order, fld, re pltf's mot/order compelling ans. or further ans. to certain interrog. Ordered that pltf's mot/order compelling ans. to interrog. is overruled in part and sustained in part. (HDC-J)ra. cps mld.	
8-14	137	Defts' mot/requesting separate trials pursuant to Rule 42(b), fld.ra	
8-14	138	Brief in support of defts' mot/req. separate trials, fld. ra	
8-14	MO:	Ordered that pltf. file a resp. brief w/in 10 days to defts' mot/req. separate trials. (HDC-J)ra. cps mld	
8-23	139	Pltf's brief in opposition of mot/requesting separate trials, fld.ra	
8-31	140	Deft's suppl. brief in support of mot/bring in additional deft., fldra	
9-6		Dep. of Marvin C. Catron on behalf of defts., taken before Patricia Walker, CSR 7-11-78, filed. g	
10-6	141	Req. of Robert R. Keegan, co-counsel for pltf., to withdraw as atty. of record, filed. rm (O)	
10-6	142	Order, filed, granting Keegan's requ. to withdraw as co-counsel for pltf., (HDC-J)rm-copies to movant	
10-18	MO:	Ordered that defts' mo/requesting separate trials purs. to R. 42(b) is referred to Mag. Rizley for recommendations. (HDC-J)hm	
10-19	MO:	CASE SET FOR HRG. ON MOT. OF DEFTS. TO BRING IN ADDITIONAL DEFT, AND ON DEFTS' MOT/REQUESTING SEPARATE TRIALS, ON MONDAY, 11-6-78 at 11:00 a.m. (RSR-MAG)ra not by k.t.	
11-3	143.	Copy of letter dated 11-2 to John Woodard from Patent counsel for Champion Intern'l Corp. re joinder of Champion, filed. hm	
11/6	MO:	Case called for <u>hearing on motions before Mag. Rizley</u> . Parties present and rep. Defts. mot. to bring in additional deft. <u>is sustained</u> . Defts.' mot. requesting separate trials pursuant to Rule 42(b) <u>is passed</u> pending filing of additional pleadings in connection with adding additional party deft. <u>Deft. to prepare F&R of Mag. and Order in 10 days.</u>	
11-21	144	Findings & Recommendations of magistrate, fld.ra	
11-21	145	Order, fld, that defts' mot/bring in additional deft. is hereby GRANTED; present defts. to prepare pldg. and file & serve such pldg on pltf and additional deft. Further ordered that Court defers ruling on defts' mot/requesting separate trials until after Champion International Corp. has been made party to this action. (HDC-J)ra c/m	
<u>1979</u> <u>1-11</u>	146	Mandate and opinion of 10th Circuit, filed and spread of record, affirming ct.'s judg. re dismissal of Dolco. rm	
1-12	----	Appeal record (6 vols) received from 10th Circuit. rm	
3-27	MO	CASE SET FOR PT HRG. & HRG. ON DEFTS' MOT/CONTEMPT 4-30-79 at 10:30 A.M.; disc. to be completed by 4-20-79; PT memo or order due 4-23-79. (HDC-J)k cps mld	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF Marvin C. Catron		DEFENDANT McDonald's System, Inc., et al	DOCKET NO. _____ PAGE <u>12</u> OF <u>6</u> PAGES
DATE 1979	NR.	PROCEEDINGS	
4-13	147	Disclaimer of Champion Internatl. Corp. for itself & its predecessor in interest, Hoerner-Waldorf Corp., filed.k	
4-13	148	Settlement agreement & joint appl. for dismissal w/ prejudice, fld.k	
4-16	149	Order, filed & entered, that settlement agreement of the parties is approved; that the Order of 11-21-78 granting defts' mot/bring in Hoerner Waldorf Corp. as addtl. deft. is rescinded & the mot. is denied; that pltf's compl. against each deft. & defts' counter-claim are dismissed with prejudice; & that each party bear his or its own costs & expenses, including attys' fees. (HDC-J)k <i>ops need</i>	
4-21	150	PETITION of pltf for return of appeal bond (w/O as part of app) (O to J)jc	
4-27	---	ORDER direct. Clk to disburse \$250.00 dollars to Rober R. Keegan, Atty. (HDC-J)jc (c/atty)	